

Message Text

UNCLASSIFIED

PAGE 01 LIMA 02283 212334Z

ACTION IO-13

INFO OCT-01 ARA-10 ISO-00 AGRE-00 AID-05 DEAE-00

CIAE-00 INR-07 JUSE-00 NSAE-00 SNM-02 TRSE-00

USIA-15 NSC-05 OES-06 OMB-01 IGA-02 MED-03 DODE-00

HEW-06 H-02 L-03 /081 W

-----212338Z 030754 /70

P R 212214Z MAR 77

FM AMEMBASSY LIMA

TO SECSTATE WASHDC PRIORITY 4124

INFO USMISSION GENEVA

UNCLAS LIMA 2283

EO 11652: N/A

TAGS: SNAR, PE

SUBJ: PERUVIAN LAWS REGARDING MARIHUANA, AND THEIR ENFORCEMENT

REF: STATE 57902

1. IN PERU, INDIVIDUAL POSSESSION OF MARIHUANA FOR PERSONAL USE IS A CIVIL, NOT CRIMINAL OFFENSE. IF AUTHORITIES APPREHEND A MARIHUANA USER, THEY BRING A COMPLAINT BEFORE A CIVIL JUDGE WHO SUMMONS THE ACCUSED FOR A PERSONAL APPEARANCE, WARNING HIM THAT FAILURE TO APPEAR WILL CAUSE THE POLICE TO BRING HIM IN. AFTER THE JUDGE'S INTERROGATION, HE HAS DISCRETION TO CONFINED THE USER IN AN INSTITUTION (IN THE CASE OF AN HABITUAL USER) OR ADOPT OTHER LESSER MEASURES.

2. TRAFFICKING IN MARIHUANA IS A CRIMINAL OFFENSE, BUT THE SEVERITY OF PUNISHMENT IS AT THE DISCRETION OF THE JUDGE WHO MAY (A) CONFISCATE THE MARIHUANA (B) APPLY A FINE (C) DECREE IMPRISONMENT FOR UP TO TWO YEARS (D) EXPEL THE OFFENDER FROM THE COUNTRY. USUALLY, (C) AND (D) WOULD ONLY BE APPLIED IN GRAVE CASES.

3. AS REGARDS THE STRICTNESS OF ENFORCEMENT, NARCOTICS OFFIC-
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PAGE 02 LIMA 02283 212334Z

ERS OF THE PERUVIAN INVESTIGATIONS POLICE (PIP) GENERALLY DO NOT PURSUE MARIHUANA CASES UNLESS THERE IS A LARGE QUANTITY INVOLVED. CASES AGAINST USERS ARE NOT PURSUED UNLESS THE ACTION OF THE USER IS SO BLATANT THAT HE MUST BE ARRESTED (E.G. SMOKING IN A PUBLIC PLACE) OR IF A COMPLAINT IS LODGED BY PARENTS REGARDING USE OF MARIHUANA BY THEIR CHILDREN AND/OR THEIR CHILDREN'S FRIENDS. PIP DOES NOT CONDONE THE USE OF MARIHUANA, BUT A COMB-

INATION OF WIDESPREAD COCAINE TRAFFICKING AND AN UNDERSTAFFED
NARCOTICS OFFICE HAS RESULTED IN PIP'S ONLY BEING ABLE TO PURSUE
SELECTED CASES.
DEAN

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Message Attributes

Automatic Decaptioning: X
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Channel Indicators: n/a
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Concepts: LAW, DRUGS
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Decaption Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
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Original Handling Restrictions: n/a
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Reference: 77 STATE 57902
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 22-Sep-2004 12:00:00 am
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Subject: PERUVIAN LAWS REGARDING MARIHUANA, AND THEIR ENFORCEMENT
TAGS: SNAR, PE
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